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**MAILED**

**JUN 29 2009**

**OFFICE OF PETITIONS**

In re Application of :  
Willem Van Der Giessen et al. :  
Application No. 10/089,460 :  
Filed: April 1, 2002 :  
Attorney Docket No. 2005-1001 :  
:

**DECISION ON PETITION**

This is a decision on the petition, filed April 13, 2009, under 37 CFR 1.181 (no fee), requesting withdrawal of the holding of abandonment in the above-identified application.

The petition is **GRANTED**.

This application was held abandoned for failure to timely respond to the Office action of Non-final mailed August 18, 2008, which set a three (3) month shortened statutory period for reply. A reply was due on or before November 18, 2008.

Petitioner request the Notice of Abandonment mailed February 11, 2009 for failure to respond to the Office Action mailed August 18, 2008 be withdrawn as petitioner timely filed a response. As evidence by the attached electronic acknowledgement receipt dated February 18, 2009 a response was timely filed, and was received by the USPTO. Furthermore, a review of record indicates that the original copy of the response is now in the file.

In view of the above, the holding of abandonment is hereby withdrawn and the application restored to pending status.

Telephone inquiries concerning this decision should be directed to Newton Edwards at (571) 272-6052 or in his absence to the undersigned at (571) 272-7099.

This application is being referred to Technology Center AU 1615 for appropriate action on the amendment filed February 18, 2009.



David Bucci  
Petitions Examiner  
Office of Petitions